

BILL NO. Z-73-05-2/

ZONING MAP ORDINANCE NO. Z- 13-73

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C3, D3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B3B district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. C3, D3, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The West 40 feet of Lot Number Six (6) in J. W. Smith's Addition to the City of Fort Wayne, Allen County, Indiana (Anthony and Wayne)

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,

CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197~~, at _____ o'clock P.M., E.S.T.

Date: 5/22/73

Charles W. Talarico
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~lost~~) by the following vote:

AYES 9, NAYS 0, ABSTAINED _____, ABSENT _____ to-wit:

BURNS	<input checked="" type="checkbox"/>	_____	_____	_____
HINGA	<input checked="" type="checkbox"/>	_____	_____	_____
KRAUS	<input checked="" type="checkbox"/>	_____	_____	_____
MOSES	<input checked="" type="checkbox"/>	_____	_____	_____
NUCKOLS	<input checked="" type="checkbox"/>	_____	_____	_____
SCHMIDT, D.	<input checked="" type="checkbox"/>	_____	_____	_____
SCHMIDT, V.	<input checked="" type="checkbox"/>	_____	_____	_____
STIER	<input checked="" type="checkbox"/>	_____	_____	_____
TALARICO	<input checked="" type="checkbox"/>	_____	_____	_____

DATE: 9/11/73

Charles W. Talarico
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. 3-13-73 on the 11th day of September, 1973.

ATTEST: (SEAL)
Charles W. Talarico
CITY CLERK

Winfred C. Wingo Jr.
PRESIDENT OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Talarico
CITY CLERK

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P. M., E.S.T.

Law A. Reder
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 22, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-05-21; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 16, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission, at its regular meeting held July 23, 1973, did give this proposed ordinance a DO PASS recommendation, subject to the satisfaction of the following condition:

"Submission of a recordable covenant whereby the owner or owners of the lot proposed for change will agree to dedication of the necessary right-of-way for implementation of the Transportation Plan."


NOW BE IT FURTHER RESOLVED, that subsequent to this motion for a DO PASS recommendation, a letter was submitted by the petitioners requesting the Commission reconsider this requested condition.

BE IT FURTHER RESOLVED that the request was denied by the Commission, therefore we are forward this proposed ordinance to the Common Council with a DO NOT PASS recommendation.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held August 27, 1973.

Certified and signed this
5th day of September, 1973.



Gretchen Wiegel
Secretary

Bill No. Z-73-05-21

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. C3, D3

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Bonald J. Schmidt

John Nuckols
Vivian G. Schmidt
William T. Hinga
Paul M. Burns
B. J. Schmidt

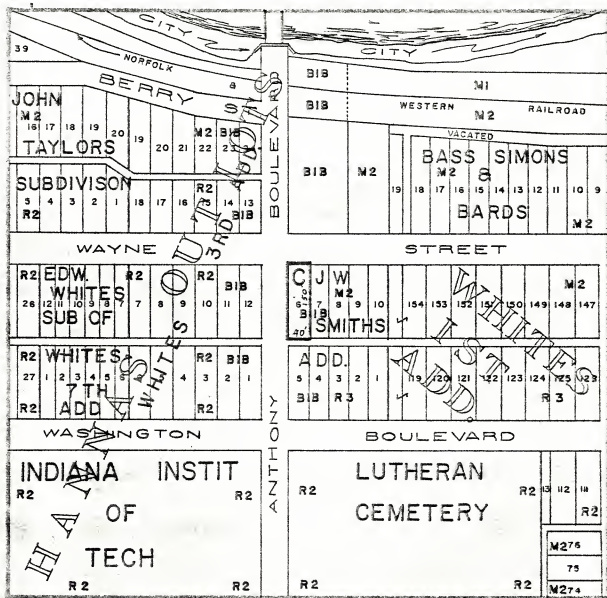
DATE 9.11.12 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

GENERAL FUND

N^o 195FT. WAYNE, IND., May 3 1973RECEIVED FROM Harvard Sandler \$ 50⁰⁰THE SUM OF Fifty ^{no}₁₀₀ DOLLARSON ACCOUNT OF Regrae W 40' Lot 6 J.W. Smith ddd
Anthony & Wayne BlotzN. Hartman

AUTHORIZED SIGNATURE



C CHANGE FROM BIB TO B3B

1-73-05-21

PETITION FOR ZONING ORDINANCE AMENDMENT . . . Receipt No. _____

TO: COMMON COUNCIL OF THE . . . Date Filed _____

CITY OF FORT WAYNE, INDIANA . . . Intended Use Used Car Sales Lot

X/We WILLIAM F. LASSUS and ELMER F. LASSUS
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an B1B District to a/an B3B District the property described as follows:

The West 40 feet of Lot Number Six (6) in J.W. Smith's
Addition to the City of Fort Wayne, Allen County, Indiana
(Anthony and Wayne)

(Legal Description)

Southeast corner of Wayne Street and North Anthony Blvd.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

William F. Lassus

1815 E. Wayne, Ft. Wayne,

Elmer F. Lassus

1815 E. Wayne, Ft. Wayne

(Name)

(Address)

(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Neil F. Sandler
(Name)

448 Utility Bldg., Ft. Wayne, Ind.
(Address)

742-4397
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,
Fort Wayne, Indiana 46802 Telephone Number 423-7571

Admn. Appr. _____

DIGEST SHEET

3-73-05-21

TITLE OF ORDINANCE _____

Zoning Map Ordinance

DEPARTMENT REQUESTING ORDINANCE _____

City Plan Commission

SYNOPSIS OF ORDINANCE _____

Preparation of a Zoning Map Amendment Ordinance petition initiated by

property owners to rezone property located as follows:

The West 40 feet of Lot Number Six (6) in J. W. Smith's Addition to the

City of Fort Wayne, Allen County, Indiana (Anthony and Wayne)

Southeast corner of Wayne Street and North Anthony Blvd.,

Zoning Change from a "B1B" to a "B3B"

EFFECT OF PASSAGE _____

From a present commercial zone (Limited Business)

to a heavier commercial zone (General Business) Intended use: Used Car Sales

Lot

EFFECT OF NON-PASSAGE _____

Present limited business zoning would remain

the same.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

None

ASSIGNED TO COMMITTEE (J. N.)

Reg - Keller

ORDINANCE CHECK-OFF SHEET

INFORMATION REGARDING ORDINANCE

CONTENTS OF ORDINANCE

BILL NO.	3-73-05-21
ORDINANCE NO.	3-13-73
REGULAR SESSION	5-22-73
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Yellow</i>
BILL WRITTEN BY	<i>City Clerk</i>
DATE INTRODUCED	5-22-73
REFERRED TO SAID STANDING COMMITTEE	<i>Regulations John Nuckels</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
X LEGAL PUBLICATION	9-11-73
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
X PASS	9-11-73
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

X	COMMITTEE SHEET
X	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	<i>City Clerk - to messenger -</i> COMMUNICATIONS FROM
X	ZONING MAPS
	<i>Intention to rezone -</i> ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

Digest Sheet -

COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS:



CITY OF FORT WAYNE
CITY-COUNTY BUILDING
ONE EAST MAIN STREET
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN
CITY CLERK

September 18, 1973

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of September 19 and September 26, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana:

Zoning Map No. Z-12-73
Amending the City of Fort Wayne
Zoning Map No. E1, E2, F1, F2.

Zoning Map No. Z-11-73
Amending the City of Fort Wayne
Zoning Map No. BB9.

Zoning Map No. Z-13-73
Amending the City of Fort Wayne
Zoning Map No. C3, D3.

Zoning Map No. Z-14-73
Amending the City of Fort Wayne
Zoning Map No. F7, F9

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
Charles W. Westerman
City Clerk

CWW/ne
ENCL: 4

Common Council-City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—

76

2

78

COMPUTATION OF CHARGES

78 lines.....columns wide equals.....equivalent lines at.....22.46

cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM

\$ 23.46

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*A. M. Hostman*Date September 27, 19 73Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN CountyPersonally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:September 20, 1973September 26, 1973Subscribed and sworn to before me this 27th day of September 19 73

Notary Public

My commission expires October 25, 1975

Notice is hereby given that on the 11th day of September, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 273-45-21, 2-13-73 Zoning Map Ordinance, to-wit:

BILL NO. 273-45-21
ZONING MAP ORDINANCE NO. Z-13-73
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-3, D-3 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a S18 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1944, as amended by General Ordinance No. 2136 amendments thereto, and the symbols of the City of Fort Wayne Zoning Map No. C-3, D-3, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The West 40 feet of Lot Number Six (6) in S. W. Smith's Addition to the City of Fort Wayne, Allen County, Indiana (Anthony and Wayne)

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKOLS

Councilman
Read the third time. In full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine — Burns, Hingo, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Slier, Talarico
Nays: None

Charles W. Westerman

City Clerk

Date: 9-11-73

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. 2-13-73 on the 11th day of September, 1973.

ATTEST: (SEAL)
Charles W. Westerman Winfield C. Moses, Jr.

City Clerk Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Charles W. Westerman

City Clerk

Approved and signed by me this 12th day of September, 1973, at the hour of 2:00 o'clock P.M., E.S.T.

Ivan A. Lebamoff

Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-13-73 passed by the Common Council on the 11th day of September, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of September, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of September, 1973.

CHARLES W. WESTERMAN

City Clerk

Common Council-City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

—
76
2
78

COMPUTATION OF CHARGES

78 lines columns wide equals equivalent lines at 288¢
cents per line 22.46

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM 23.46

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date September 27, 1973

Title CLERK

Notice is hereby given that on the 11th day of September, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. 273-25-21, Z-13-73 Zoning Map Ordinance, to-wit:

BILL NO. 273-25-21
ZONING MAP ORDINANCE NO. Z-13-73
AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C-3, D-3, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a BJB district under the terms of Chapter 34, Municipal Code of the City of Fort Wayne, Indiana, 1966 as amended by General Ordinance No. 2836, amendments thereto; and the symbols of the City of Fort Wayne Zoning Map No. C-3, D-3 referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

The West 40 feet of Lot Number Six (6) in J. W. Smith's Addition to the City of Fort Wayne, Allen County, Indiana (Anthony and Wayne).

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKOLS

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage. Passed by the following vote:

Ayes: Nine — Burns, Ningo, Kraus, Moses, Nuckols, D. Schmidt, V. Schmidt, Slier, Talarico
Nays: None

Charles W. Westernman
City Clerk

Date: 9-11-73

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-13-73 on the 11th day of September, 1973.

ATTEST: (SEAL)
Charles W. Westernman Winfield C. Moses, Jr.
City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of September, 1973, at the hour of 10:00 o'clock A.M., E.S.T.

Approved and signed by me this 12th day of September, 1973, at the hour of 3:00 o'clock P.M., E.S.T.
Ivan A. Lebamoff
Mayor

Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-13-73 passed by the Common Council on the 11th day of September, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of September, 1973 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 12th day of September, 1973.
CHARLES W. WESTERMAN
City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana }
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE
a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

September 20, 1973

September 26, 1973

Subscribed and sworn to before me this 27th day of September 1973

Notary Public

My commission expires October 25, 1975